

SIXTEENTH DAY.

Hall of the House of Representatives,
Austin, Texas,

Saturday, August 13, 1910.

The House met at 9 o'clock a. m.,
pursuant to adjournment.

Speaker Marshall in the chair.

The roll was called, and the following members were present:

Adams.	Lawson.
Anderson.	Leach.
Aston.	Lee.
Baker of Hood.	Lively.
Baker of Panola.	Looney.
Ballenger.	Maddox.
Barrett.	Mason.
Bartlett.	Maxwell.
Bell.	McCallum.
Bierschwale.	McDaniel.
Bogard.	McDonald.
Bostic.	McGown.
Roswell.	McKinney.
Bowles.	McLain.
Branch.	Minton.
Briscoe.	Moller.
Brooks.	Morris.
Brookshire.	Nelson of Hopkins.
Brownlee.	Nelson of
Ruchanan.	Kaufman.
Cable.	Nickels.
Canales.	O'Bryan.
Cathey.	O'Bryant.
Caves.	Odum.
Cox.	Penn.
Craven.	Perkins.
Crisp.	Pharr.
Crockett of	Rabb.
Mitchell.	Ray.
Cureton.	Rayburn.
Currey.	Reedy.
Dalby.	Reid.
Dotson.	Roach.
Driggers.	Roberson of Erath.
Elliott.	Robertson of Bell.
Fant.	Robertson of
Fitzhugh.	Travis.
Flournoy.	Ross.
German.	Schluter.
Gilmore.	Schofield.
Goodman.	Self.
Graham.	Smith.
Hamilton of	Spradley.
Childress.	Stamps.
Hamilton of	Standifer.
McCulloch.	Stephenson.
Highsmith.	Stepter.
Hill.	Stratton.
Humphrey.	Tarver.
Hunt.	Tillotson.
Jackson.	Turner.
Jennings.	Turney.
Johnston.	Vaughan.
Keeble.	Wahrmund.
Kennedy.	Watson.

Werner.
Wilburn.
Wilson.

Wortham.
Yantis.

Absent.

Chaney.
Davis.

Haxthausen.
Matthews.

Absent—Excused.

Brown
Byrne.
Crawford.
Crockett of
Washington.
Fuller.
Harman.
Johnson.
Luce.
Munson.

Pearson.
Porter.
Ralston.
Stead.
Strickland.
Terrell of Bexar.
Terrell of
Cherokee.
Von Rosenberg.
Walter.

A quorum was announced present.

Prayer by Rev. W. J. Joyce, Chaplain.

LEAVE OF ABSENCE GRANTED.

On account of important business:

Mr. Baker of Panola for today, on motion of Mr. Wilson.

Mr. Harman for today, on motion of Mr. Stephenson.

On account of sickness:

Mr. Graham for Thursday and Friday, on motion of Mr. Anderson.

Mr. German for yesterday, on motion of Mr. Hamilton of Childress.

Charles Burkes, Assistant Sergeant-at-Arms, for yesterday and today, on motion of Mr. Robertson of Bell.

Mr. Ross for last Thursday, on motion of Mr. Reedy.

HOUSE BILL NO. 7 ON ENGROSSMENT.

(Special Order.)

The Speaker laid before the House as pending business, on its passage to engrossment,

House bill No. 7, A bill to be entitled "An Act providing conditions, additional to those now imposed by law, upon which insurance companies writing contracts of fire insurance on property in this State, shall transact business in this State; to create a State Insurance Board, to provide for their appointment and to fix their powers and compensation; to authorize said board to pass such rules and regulations as are necessary to fix reasonable maximum rates of premiums on fire insurance on property in this State; to authorize said board to employ all necessary clerical force and providing an appropriation for

the payment of salaries of said board and for all necessary expenses; to provide the basis of maximum rates for fire insurance on property in this State, until said board shall fix maximum rates herein prescribed; to authorize the revocation of the licenses or certificates of insurance companies to do business in this State for violations of the orders of said board or the provisions of this act; to require all persons having knowledge to give evidence as to the violations of this act or of the orders of said board; to require all insurance companies issuing policies or writing contracts of fire insurance to furnish reports to the members or any authorized agent of said board and to give access to all their books, documents and correspondence when requested by said board; also providing that the State Insurance Board shall make and maintain a record of all fire losses and such data and information in reference thereto as may be of assistance in the making of insurance rates and reductions of same; and reducing the fire losses of the State; providing that one member of the Insurance Board shall be elected secretary of the board and one member elected fire marshal of the State Insurance Board, and defining and prescribing the duties of those respective positions; and providing that no action taken by the fire marshal shall affect the rights of the policyholders; providing for the establishment of minimum rates of fire insurance by the State Insurance Board, under certain conditions specified in the act; providing for the promulgation and establishment of uniform policies of insurance applicable to the various risks of this State, by the State Insurance Board and their adoption and use by fire insurance companies; prohibiting any person from receiving or accepting from any insurance company or its agents or any other person rebates or premiums or any special favor or advantage or consideration or inducement not specified in the insurance policy, and providing the penalty for the violation; to provide for the time when this act shall go into effect and for the repeal of Chapter 18 of the General Laws passed by the First Called Session of the Thirty-first Legislature, and of all laws in conflict herewith, and declaring an emergency."

The House, considering the bill section by section, and Sections 1 to 21 having been considered, and Section 22 being under consideration, with the following amendment by Mr. Brownlee to Section 22 of the bill pending:

Amend committee substitute for House bills Nos. 7 and 8 by striking out Section 22.

Question—Shall the amendment be adopted?

On motion of Mr. Cureton, the amendment was tabled.

Mr. Brownlee offered the following amendment to Section 22 of the bill:

Amend committee substitute for House bills Nos. 7 and 8 by adding at the end of Section 22 the following: "Provided, that when credit is extended the assured shall pay on the deferred payment a rate of interest to be not less than the legal rate."

On motion of Mr. Cureton, the amendment was tabled.

Section 22 of the bill was passed over.

Section 23 of the bill was read and passed over.

Section 24 of the bill was read.

Mr. Crockett of Mitchell offered the following amendment to Section 24 of the bill:

(Mr. Robertson of Bell in the chair.)

Mr. Crockett of Mitchell offered the following amendment to Section 24 of the bill:

Amend Section 24 by striking out all words in line 12, on page 16, after the word "not" down to the semicolon in line 17, and substitute the following: "Less than \$300 nor more than \$1000 for each offense; provided, that if the offense for which any person, company or corporation shall be convicted as aforesaid shall be an unlawful discrimination or combination, such person, company or corporation shall be guilty of a felony and shall be fined not less than \$300 nor more than \$1000, or by imprisonment in the penitentiary for not less than one nor more than five years."

On motion of Mr. Smith, the amendment was tabled.

Mr. Crockett of Mitchell offered the following amendment to Section 24 of the bill:

Amend amendment to House bill No. 7 by striking out the words "to exceed \$100" in line 12, and insert in lieu thereof the following: "Less than \$300 nor more than \$1000," and amend line 15 by striking out the words "exceeding \$100" and insert in lieu thereof the following: "Less than \$300 nor more than \$1000."

CROCKETT of Mitchell,
GILMORE.

The amendment was adopted.

Section 24 of the bill was passed over.

Section 25 of the bill was read and passed over.

Section 26 of the bill was read.

Mr. Ray offered the following amendment to Section 26 of the bill:

Amend Section 26, line 32, by inserting the words "or unincorporated" after the word "incorporated" in line 32.

The amendment was adopted.

Section 26 of the bill was passed over.

Sections 27 and 28 of the bill were read and passed over.

Question—Shall House bill No. 7 be passed to engrossment?

Mr. Cureton offered the following amendment to the bill:

Amend substitute house bill for House bills Nos. 7 and 8, page 3, line 19, at the beginning of Section 2 by inserting before the word "there" the following: "That there may be reasonable and just insurance rates in Texas."

The amendment was adopted.

Mr. Caves offered the following amendment to the bill:

Amend the committee substitute for House bills Nos. 7 and 8 by adding after Section 26, page 16, another section to be known as Section 26a, as follows:

"Section 26a. This act shall go into effect and become operative from and after the 1st day of September, 1910, and not before."

The amendment was adopted.

Mr. Ray offered the following amendments to the bill:

(1)

Strike out all after the enacting clause and insert in lieu thereof the following:

"Section 1. That Chapter 18 of the Acts of the First Called Session of the Thirty-first Legislature, known as the Fire Rating Board Law, be and the same is hereby repealed.

"Sec. 2. The fact that there is at present a legalized trust among insurance companies in Texas to fix non-competitive and monopoly prices for fire insurance creates an emergency and an imperative public necessity for the repeal of the present law regulating fire insurance companies and that the constitutional rule requiring bills to be read on three several days is hereby suspended in order that this act may take effect from and immediately after its passage."

(2)

Amend the caption so as to read as follows:

"A bill to be entitled 'An Act to repeal Chapter 18, of the Acts of the First

Called Session of the Thirty-first Legislature, and creating an emergency.'"

DAVIS,
COX,
WORTHAM,
BARRETT,
WATSON,
FITZHUGH,
CROCKETT of Mitchell,
RAY,
CABLE,
TURNER,
TURNER,
KENNEDY,
McDANIEL.

Question—Shall the amendments be adopted?

Mr. Ballengee moved to table the amendments.

Yeas and nays were demanded and the motion to table prevailed by the following vote:

Yeas—73.

Adams.	Johnston.
Anderson.	Keeble.
Aston.	Lively.
Baker of Hood.	Looney.
Baker of Panola.	Maddox.
Ballengee.	Mason.
Bartlett.	Maxwell.
Bell.	McDonald.
Bogard.	McKinney.
Bostic.	McLain.
Boswell.	Minton.
Branch.	Moller.
Briscoe.	Morris.
Brookshire.	Nelson of
Brownlee.	Kaufman.
Buchanan.	O'Bryant.
Canales.	Odom.
Cathey.	Penn.
Caves.	Rayburn.
Craven.	Reedy.
Cureton.	Reid.
Currey.	Roach.
Dotson.	Roberson of Erath.
Driggers.	Robertson of Bell.
Elliott.	Schofield.
Flournoy.	Smith.
German.	Spradley.
Gilmore.	Stamps.
Goodman.	Standifer.
Graham.	Stephenson.
Hamilton of	Stepter.
Childress.	Stratton.
Hamilton of	Tarver.
McCulloch.	Tillotson.
Highsmith.	Vaughan.
Hill.	Wilburn.
Humphrey.	Wilson.
Jennings.	

Nays—29.

Barrett.	Bowles.
Bierschwale.	Brooks.

Cable.	O'Bryan.
Crockett of	Perkins.
Mitchell.	Pharr.
Dalby.	Rabb.
Fitzhugh.	Ray.
Hunt.	Ross.
Jackson.	Schluter.
Leach.	Self.
Lee.	Turner.
McDaniel.	Turney.
McGown.	Watson.
Nelson of Hopkins.	Werner.
Nickels.	Wortham.

Absent.

Chaney.	Matthews.
Davis.	Robertson of
Fant.	Travis.
Haxthausen.	Yantis.

Absent—Excused.

Brown.	Pearson.
Byrne.	Porter.
Crockett of	Ralston.
Washington.	Stead.
Fuller.	Strickland.
Harman.	Terrell of
Johnson.	Cherokee.
Luce.	Von Rosenberg.
Munson.	Walter.

PAIRED.

Mr. Kennedy (present), who would vote "nay," with Mr. Terrell of Bexar (absent), who would vote "yea."

Mr. Cox (present), who would vote "nay," with Mr. Crawford (absent), who would vote "yea."

Mr. Lawson (present), who would vote "yea," with Mr. Crisp (absent), who would vote "nay."

Mr. McCallum (present), who would vote "nay," with Mr. Wahrmond (absent), who would vote "yea."

House bill No. 7 was passed to engrossment.

Mr. Kennedy moved to reconsider the vote by which House bill No. 7 was passed to engrossment.

Mr. Canales moved to table the motion to reconsider.

Question—Shall the motion to table prevail?

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—73.

Adams.	Bartlett.
Anderson.	Bell.
Aston.	Bogard.
Baker of Hood.	Bostic.
Baker of Panola.	Branch.
Ballengee.	Briscoe.
Barrett.	Brookshire.

Brownlee.	McCallum.
Buchanan.	McKinney.
Canales.	McLain.
Cathey.	Minton.
Caves.	Moller.
Craven.	Morris.
Crockett of	Nelson of Hopkins.
Mitchell.	Nelson of
Cureton.	Kaufman.
Currey.	O'Bryant.
Dotson.	Odum.
Driggers.	Penn.
Elliott.	Pharr.
Flournoy.	Rayburn.
German.	Reedy.
Gilmore.	Reid.
Goodman.	Roach.
Graham.	Roberson of Erath.
Hamilton of	Robertson of Bell.
Childress.	Ross.
Hamilton of	Schofield.
McCulloch.	Smith.
Highsmith.	Spradley.
Humphrey.	Stamps.
Jennings.	Stephenson.
Johnston.	Stepter.
Keeble.	Stratton.
Lee.	Tarver.
Looney.	Vaughan.
Maddox.	Wilburn.
Mason.	Wilson.
Maxwell.	

Nays—28.

Bierschwale.	McDonald.
Boswell.	Nickels.
Bowles.	O'Bryan.
Brooks.	Rabb.
Cable.	Ray.
Dalby.	Schluter.
Fitzhugh.	Self.
Hill.	Standifer.
Hunt.	Tillotson.
Jackson.	Turner.
Kennedy.	Turney.
Leach.	Watson.
Lively.	Werner.
McDaniel.	Wortham.

Absent.

Chaney.	Perkins.
Davis.	Robertson of
Fant.	Travis.
Haxthausen.	Wahrmond.
Matthews.	Yantis.
McGown.	

Absent—Excused.

Brown.	Luce.
Byrne.	Munson.
Crockett of	Pearson.
Washington.	Porter.
Fuller.	Ralston.
Harman.	Stead.
Johnson.	Strickland.

Terrell of Bexar. Von Rosenberg.
Terrell of Walter.
Cherokee.

PAIRED.

Mr. Lawson (present), who would vote
"nay," with Mr. Crisp (absent), who
would vote "yea."

Mr. Cox (present), who would vote
"nay," with Mr. Crawford (absent),
who would vote "yea."

HOUSE BILL NO. 7 ON THIRD
READING.

Mr. Cureton moved to suspend the con-
stitutional rule requiring bills to be read
on three several days in each house, and
that House bill No. 7 be placed on third
reading and final passage.

The motion prevailed by the following
vote:

Yeas—90.

Adams.	Jackson.
Anderson.	Jennings.
Aston.	Johnston.
Baker of Hood.	Keeble.
Baker of Panola.	Lawson.
Ballengee.	Leach.
Barrett.	Lee.
Bartlett.	Lively.
Bell.	Looney.
Bogard.	Maddox.
Bostic.	Mason.
Boswell.	Maxwell.
Bowles.	McCallum.
Branch.	McDaniel.
Brooks.	McKinney.
Brookshire.	McLain.
Brownlee.	Minton.
Cable.	Moller.
Canales.	Morris.
Cathey.	Nelson of Hopkins.
Caves.	Nelson of
Craven.	Kaufman.
Crockett of	Nickels.
Mitchell.	O'Bryant.
Cureton.	Odom.
Currey.	Penn.
Dalby.	Perkins.
Dotson.	Pharr.
Driggers.	Rabb.
Elliott.	Rayburn.
Flournoy.	Reedy.
German.	Reid.
Gilmore.	Roach.
Goodman.	Robertson of Erath.
Hamilton of	Robertson of Bell.
Childress.	Ross.
Hamilton of	Schluter.
McCulloch.	Schofield.
Highsmith.	Smith.
Hill.	Spradley.
Humphrey.	Stamps.
Hunt.	Standifer.

Stephenson. Turner.
Stepter. Turney.
Stratton. Vaughan.
Tarver. Wilburn.
Tillotson. Wilson.

Nays—10.

Bierschwale. Ray.
Cox. Self.
Fitzhugh. Watson.
McDonald. Werner.
McGown. Wortham.

Present—Not Voting.

O'Bryan.

Absent.

Briscoe. Haxthausen.
Buchanan. Matthews.
Chaney. Pearson.
Crawford. Robertson of
Crisp. Travis.
Davis. Wahrmond.
Fant. Yantis.

Absent—Excused.

Brown. Porter.
Byrne. Ralston.
Crockett of Stead.
Washington. Strickland.
Fuller. Terrell of
Harman. Cherokee.
Johnson. Von Rosenberg.
Luce. Walter.
Munson.

PAIRED.

Mr. Kennedy (present), who would
vote "nay," with Mr. Terrell of Bexar
(absent), who would vote "yea."

The Speaker laid the bill before the
House, and it was read third time.

Question—Shall the bill be passed?

The Clerk was directed to call the roll,
and the bill was passed by the follow-
ing vote:

Yeas—69.

Adams.	Buchanan.
Anderson.	Canales.
Aston.	Cathey.
Baker of Hood.	Caves.
Baker of Panola.	Crisp.
Ballengee.	Crockett of
Barrett.	Mitchell.
Bartlett.	Cureton.
Bell.	Currey.
Bogard.	Dotson.
Bostic.	Driggers.
Boswell.	Elliott.
Bowles.	Flournoy.
Branch.	German.
Brookshire.	Gilmore.
Brownlee.	Goodman.

Graham.	Odom.
Hamilton of	Penn.
McCulloch.	Rabb.
Highsmith.	Rayburn.
Humphrey.	Reedy.
Jennings.	Reid.
Johnston.	Roach.
Keeble.	Roberson of Erath.
Lively.	Robertson of Bell.
Looney.	Ross.
Maddox.	Schofield.
Mason.	Smith.
McCallum.	Spradley.
McLain.	Stephenson.
Minton.	Stepter.
Moller.	Stratton.
Morris.	Tarver.
Nelson of	Tillotson.
Kaufman.	Vaughan.
O'Bryant.	Wilburn.

Nays—32.

Bierschwale.	Nelson of Hopkins.
Brooks.	Nickels.
Cable.	O'Bryan.
Craven.	Perkins.
Dalby.	Pharr.
Fitzhugh.	Ray.
Hill.	Schluter.
Hunt.	Self.
Jackson.	Stamps.
Lawson.	Standifer.
Leach.	Turner.
Lee.	Turney.
McDaniel.	Watson.
McDonald.	Werner.
McKinney.	Wilson.

Absent.

Briscoe.	Matthews.
Chaney.	Maxwell.
Davis.	Robertson of
Fant.	Travis.
Haxthausen.	Yantis.

Absent—Excused.

Brown.	Pearson.
Byrne.	Porter.
Crockett of	Ralston.
Washington.	Stead.
Fuller.	Strickland.
Harman.	Terrell of
Johnson.	Cherokee.
Luce.	Von Rosenberg.
Munson.	Walter.

PAIRED.

Mr. Kennedy (present), who would vote "nay," with Mr. Terrell of Bexar (absent), who would vote "yea."

Mr. McGown (present), who would vote "nay," with Mr. Hamilton of Childress (absent), who would vote "yea."

Mr. Wortham (present), who would vote "nay," with Mr. Wahrmond (absent), who would vote "yea."

Mr. Cox (present), who would vote "nay," with Mr. Crawford (absent), who would vote "yea."

(Speaker in the chair.)

Mr. Gilmore moved to reconsider the vote by which House bill No. 7 was passed and to table the motion to reconsider.

The motion to table prevailed.

REASONS FOR VOTE.

I vote "no" because Section 8 provides for a deputy fire marshal in every town or village, which would put about forty men on the payrolls of the towns and villages in Fannin county, and the further expense of \$25,000 on the taxpayers of Texas, while only about 15 per cent of the people of the State are interested in the law.

SELF.

HOUSE BILLS ON FIRST READING.

The following House bills were introduced, read first time and referred to appropriate committees as follows:

By Mr. Kennedy and Mr. Looney:

House bill No. 43, A bill to be entitled "An Act making it a misdemeanor to sell, give away or drink or permit to be sold, given away or drunk, spirituous, vinous or malt liquors, whether capable of producing intoxication or not, in any bawdy house, disorderly house or assignation house; defining a bawdy house, a disorderly house, assignation house; providing a penalty for the violation of this act, and declaring an emergency."

Referred to Committee on Liquor Traffic.

By Mr. Currey and Mr. Gilmore:

House bill No. 44, A bill to be entitled "An Act to amend Sections 6 and 7 of Chapter 69 of the local and Special Laws of the Thirtieth Legislature, being entitled 'An Act to amend the special road law of Van Zandt county, Texas,' as enacted by the Twenty-eighth Legislature, and sent to the Governor for approval on the 18th of March, 1903, and to authorize and empower the commissioners court of said county to issue bonds for the permanent improvement of the public roads of said county, and declaring an emergency."

Referred to Committee on Roads, Bridges and Ferries.

MESSAGE FROM THE GOVERNOR.

Hon. J. R. Bowman, private secretary to the Governor, appeared at the bar of

the House and, being duly announced, presented a message from the Governor, which was read as follows:

Executive Office,
State of Texas.

Austin, August 13, 1910.

To the Legislature:

By virtue of authority vested in me by Section 40, Article 3 of the Constitution of the State of Texas, I hereby designate and present to you for your consideration the following subjects and suggest legislation thereon:

1. Laws amending the city charter of the city of Denison, Texas.
2. Legislation amending the Van Zandt county road law.

Very respectfully,
T. M. CAMPBELL,
Governor of Texas.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, August 12, 1910.

Hon. John Marshall, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following bill:

Senate bill No. 3 A bill to be entitled "An Act to repeal Chapter 18 of the General Laws of the Thirty-first Legislature, relative to fire insurance companies; prescribing conditions for transacting business, and declaring an emergency."

Respectfully,
CLYDE D. SMITH,
Secretary of the Senate.

SENATE BILL ON FIRST READING.

Senate bill No. 3, received from the Senate today, was laid before the House, read first time and referred to the Committee on Insurance.

HOUSE BILL NO. 15 ON THIRD READING.

The Speaker laid before the House, on third reading and final passage,

House bill No. 15, A bill to be entitled "An Act to amend Section 14 of Chapter 17, of the Acts of the Regular Session of the Thirty-first Legislature, the same being 'An Act to amend Chapter 138 of the Acts of the Thirtieth Legislature, approved April 18, 1907, the same being 'An Act to regulate the sale and disposition of spirituous, vinous and

malt liquors and medicated bitters capable of producing intoxication, and the places wherein same are sold; imposing an occupation tax upon persons, firms, corporations and associations of persons, selling spirituous, vinous or malt liquors or medicated bitters capable of producing intoxication; requiring retail liquor dealers and other persons to secure license to sell such liquors; and defining retail liquor dealers and regulating the business thereof; requiring retail malt dealers and other persons to secure license to sell malt liquors exclusively, capable of producing intoxication; and defining retail malt dealers and regulating the business thereof; exempting wine growers who sell wine of their own production from the provisions of this act; providing same is not sold to be drunk on the premises where sold, and otherwise regulating of such wine growers; regulating the transfer of license of retail liquor dealers and retail malt dealers; prescribing the condition of the bonds of such retail dealers and the conditions upon which licenses to such dealers and other persons may be issued; providing for the refund of any unearned portion of any license; requiring the county clerk to report all licenses granted to the Comptroller of Public Accounts; providing for the revocation under certain conditions of licenses issued; defining intoxicating liquors and providing penalties for the violation of the provisions of this act, and declaring an emergency," and adding Sections 9a, 9b, 9c, 9d, 9e, 9f, 9g, 9h, 9i, 9j, 10a and 35a, prescribing the methods and procedure by which liquor licenses may be obtained, transferred and forfeited, and prescribing the manner for the ascertainment of the facts upon which forfeiture is based, and prescribing the duties of the county judge, Comptroller of Public Accounts and the county attorney and other proper officers in regard thereto, and repealing all laws or parts of laws in conflict herewith; requiring licenses to be issued under this act and prescribing the continuation in force of licenses issued under prior laws for sixty days after this act takes effect in order to give time for securing licenses under this act, and providing that credit be allowed upon licenses to be obtained under this act in an amount equal to the unearned portion or part of any existing license, and declaring an emergency," by amending Section 14 so as to require every person or firm who are engaged in the sale of intoxicating liquors or who may hereafter become engaged in the sale of intoxicat-

ing liquors in any locality in this State other than where local option is enforced to keep such places of business closed from and after 6 o'clock p. m. until 7 o'clock a. m. of the next day, and to keep such places closed from 6 o'clock p. m. on Saturday until 7 o'clock a. m. on the following Monday of each week, and forbidding sale of any intoxicating liquors or the transaction of any business in such places within said hours, and prescribing penalties therefor, and declaring an emergency."

The bill was read third time.

Question—Shall the bill be passed?

Mr. Kennedy offered the following amendment to the bill:

Strike out "7 p. m." and insert "8:30 p. m."

The amendment was lost.

Question—Shall House bill No. 15 be passed?

Yeas and nays were demanded, and the bill was passed by the following vote:

Yeas—70.

Anderson.	Leach.
Aston.	Lively.
Baker of Hood.	Looney.
Baker of Panola.	Maddox.
Ballengee.	Mason.
Barrett.	Maxwell.
Bell.	McCallum.
Bostic.	McDaniel.
Bowles.	McDonald.
Branch.	McLain.
Briscoe.	Minton.
Brownlee.	Morris.
Cable.	Nelson of Hopkins.
Canales.	Nelson of
Cathey.	Kaufman.
Caves.	Nickels.
Craven.	O'Bryant.
Crockett of	Odom.
Mitchell.	Perkins.
Currey.	Pharr.
Dalby.	Ray.
Dotson.	Rayburn.
Driggers.	Reedy.
Elliott.	Reid.
Fitzhugh.	Roach.
German.	Roberson of Erath.
Gilmore.	Ross.
Graham.	Self.
Hamilton of	Stamps.
McCulloch.	Stephenson.
Hill.	Stepter.
Humphrey.	Tarver.
Hunt.	Turner.
Jennings.	Vaughan.
Johnston.	Wilburn.
Lawson.	Wilson.

Nays—27.

Adams.	Bartlett.
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Bierschwale.
Boswell.
Brooks.
Brookshire.
Buchanan.
Cox.
Crisp.
Flournoy.
Goodman.
Keeble.
Lee.
Moller.
O'Bryan.

Penn.
Rabb.
Robertson of Bell.
Robertson of
Travis.
Schluter.
Smith.
Standifer.
Stratton.
Tillotson.
Turney.
Watson.
Werner.

Absent.

Bogard.	Matthews.
Chaney.	McKinney.
Crawford.	Pearson.
Cureton.	Ralston.
Davis.	Schofield.
Fant.	Wahrmund.
Haxthausen.	Wortham.
Highsmith.	Yantis.
Jackson.	

Absent—Excused.

Brown.	Munson.
Byrne.	Porter.
Crockett of	Stead.
Washington.	Strickland.
Fuller.	Terrell of
Harman.	Cherokee.
Johnson.	Walter.
Luce.	

PAIRED.

Mr. Hamilton of Childress (present), who would vote "yea," with Mr. McGown (absent), who would vote "nay."

Mr. Spradley (present), who would vote "yea," with Mr. Von Rosenberg (absent), who would vote "nay."

Mr. Kennedy (present), who would vote "yea," with Mr. Terrell of Bexar (absent), who would vote "nay."

BILL ORDERED NOT PRINTED.

(By Unanimous Consent.)

On motion of Mr. Elliott, House bill No. 41, amending the charter of the city of Denison, was ordered not printed.

RECESS.

On motion of Mr. Moller, the House, at 12:10 p. m., took a recess to 2 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m., and was called to order by the Speaker.

HOUSE BILL NO. 41 ON SECOND
READING.

On motion of Mr. Elliott, by unanimous consent, the regular order of business was suspended to take up and have placed upon second reading and passage to engrossment,

House bill No. 41, A bill to be entitled "An Act to amend Section 4, Article 5, of Chapter 33, Special Laws of the Thirtieth Legislature, entitled 'An Act granting to Denison, Grayson county, Texas, a new charter of incorporation, repealing all laws and parts of laws in conflict herewith, and declaring an emergency,' regulating the appointment and removal of officers and employes of said city, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time, and was passed to engrossment.

REPORT OF FREE CONFERENCE
COMMITTEE ON SENATE
BILL NO. 7.

Mr. Cox called up from the Speaker's table the report of the Free Conference Committee on Senate bill No. 7.

The Speaker laid the report before the House, which was read as follows:

Austin, Texas, August 13, 1910.

Hon. A. B. Davidson, President of the Senate, and Hon. John Marshall, Speaker of the House of Representatives.

Sirs: We, your Free Conference Committee, to whom was referred

Senate bill No. 7, A bill to be entitled "An Act to provide for the retirement of certain bonds of the State of Texas, maturing on the first day of July, 1909, and the first day of September, 1910; for issuing other bonds at a lower rate of interest in lieu thereof; providing for the execution of such other bonds, and the manner of exchange of the new bonds, and declaring an emergency,"

Have had the same under consideration, and beg leave to report that we have agreed upon and recommend the adoption of the following attached bill in lieu of the original bill, No. 7.

WARD,
BRACHFIELD,
SENER,
WEINERT,

On the part of the Senate.

COX,
STRATTON,
MINTON,
RAYBURN,
GILMORE,

On the part of the House.

A BILL

To Be Entitled

An Act to provide for the retirement of certain bonds of the State of Texas maturing on the first day of July, 1909, and the first day of September, 1910; providing for the issuance and sale of other State bonds at a lower rate of interest for the purpose of retiring and redeeming said outstanding bonds; providing for the execution and sale of such other bonds; repealing Chapter 20, General Laws of the Second Called Session of the Thirty-first Legislature; making an appropriation to carry this act into effect, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That the Governor of the State is hereby authorized to have lithographed one hundred and thirty-five coupon bonds of the State of Texas of the denomination of ten thousand dollars (\$10,000) each and one coupon bond of the State of Texas of the denomination of three thousand seven hundred dollars (\$3700), aggregating one million three hundred and fifty-three thousand seven hundred dollars (\$1,353,700). Said bonds shall be designated "State of Texas Refunding Bonds, Issue of 1910." They shall be numbered from one (1) to one hundred and thirty-six (136), inclusive; they shall be dated September 1, 1910, and shall become due and payable forty (40) years from their date, but the State shall reserve an option of redeeming them at any time after twenty (20) years from their date. They shall bear interest at the rate of three (3) per centum per annum, payable semi-annually on the first day of January and July of each year, evidenced by coupons attached. The form of such bonds and coupons shall be prepared by the Attorney General. The bonds shall be signed by the Governor and the Treasurer of the State of Texas, and countersigned and registered by the Comptroller, and shall have the seal of the State of Texas affixed thereto. The facsimile signatures of the Governor and the Treasurer shall be lithographed on the coupons. The principal and interest on said bonds shall be payable upon presentation of bonds or proper coupons in lawful money of the United States at the office of the Treasurer of the State of Texas at Austin, Texas.

Sec. 2. The bonds herein provided for are authorized for the purpose of redeeming and canceling State bonds outstanding to the amount of one million three hundred and fifty-three thousand seven hundred dollars (\$1,353,700), of which seven hundred and ninety-nine thousand three hundred dollars (\$799,300) is held by the State Permanent School Fund; two hundred and seventeen thousand two hundred dollars (\$217,200) by the Permanent State University Fund; twenty-four thousand three hundred dollars (\$24,300) by the Permanent Orphans' Home Fund; twenty-nine thousand five hundred dollars (\$29,500) by the Permanent Blind Asylum Fund; forty-six thousand six hundred dollars (\$46,600) by the Permanent Deaf and Dumb Asylum Fund; sixty-two thousand eight hundred dollars (\$62,800) by the Permanent Lunatic Asylum Fund; and one hundred and seventy-four thousand dollars (\$174,000) by the Permanent Agricultural and Mechanical College Fund; which bonds mature on the first day of July, 1909, and the first day of September, 1910, and were issued under an act of the Legislature of the State of Texas, approved August 5, 1870, entitled "An Act providing for the issuance and sale of the bonds of the State of Texas for the purpose of meeting the appropriations made for maintaining the ranging companies on the frontier"; and an act of the Legislature of the State of Texas, approved April 21, 1879, entitled "An Act to provide for the issuance and sale of bonds for the purpose of retiring the outstanding bonds of the State and supplying a deficiency in the revenue and to provide the mode and manner of sale of said bonds."

Sec. 3. The Governor and State Treasurer shall sell the bonds herein provided for and with the proceeds thereof shall redeem the outstanding bonds of the State referred to in Section 2 of this act; provided, that said bonds shall not be sold for less than par and accrued interest; and provided further, that the State Board of Education shall have an option of ten days in which to purchase said bonds; provided, that the Board of Education will pay the price offered for such bonds by the best bona fide bidder.

Sec. 4. There shall be appropriated and set aside in the State Treasury at each biennial session of the Legislature an amount equal to two (2) per cent per annum of the bonds herein provided for

for the purpose of creating a sinking fund with which said bonds shall be redeemed.

Sec. 5. Chapter 20 of the General Laws of the Second Called Session of the Thirty-first Legislature is hereby repealed.

Sec. 6. The sum of one hundred dollars (\$100) or so much thereof as may be necessary is hereby appropriated out of any moneys in the State Treasury not otherwise appropriated to pay the expense of lithographing the bonds provided for in this act, and any other expenses necessary in carrying out the provisions thereof.

Sec. 7. The large number of bills now before the Legislature for its consideration creates an emergency and imperative public necessity exists that the rule requiring bills to be read on three several days be suspended and this act shall take effect and be in force from and after its passage, and it is so enacted.

Question—Shall the report of the Free Conference Committee be adopted?

Mr. Cox moved that the report be adopted.

The Clerk was directed to call the roll, and the report of the Free Conference Committee was adopted by the following vote:

Yeas—90.

Adams.	German.
Anderson.	Gilmore.
Aston.	Goldman.
Baker of Hood.	Hamilton of
Baker of Panola.	Childress.
Barrett.	Hamilton of
Bartlett.	McCulloch.
Bierschwale.	Hill.
Bogard.	Humphrey.
Bostic.	Hunt.
Boswell.	Jackson.
Bowles.	Jennings.
Branch.	Lawson.
Briscoe.	Leach.
Brooks.	Lee.
Brownlee.	Lively.
Buchanan.	Looney.
Cable.	Maddox.
Cathey.	Mason.
Caves.	Maxwell.
Cox.	McCallum.
Craven.	McDaniel.
Crisp.	McGown.
Cureton.	McKinney.
Currey.	McLain.
Dalby.	Minton.
Davis.	Moller.
Dotson.	Morris.
Elliott.	Nelson of Hopkins.

Nelson of Kaufman.	Schluter.
Nickels.	Schofield.
O'Bryan.	Self.
Odom.	Spradley.
Penn.	Stamps.
Pharr.	Standifer.
Rabb.	Stephenson.
Ray.	Stepter.
Rayburn.	Stratton.
Reedy.	Tarver.
Reid.	Tillotson.
Roach.	Turner.
Roberson of Erath.	Vaughan.
Robertson of Bell.	Watson.
Robertson of Travis.	Werner.
Ross.	Wilson.

Present—Not Voting.

Perkins.

Absent.

Ballengee.	Highsmith.
Bell.	Johnston.
Brookshire.	Keeble.
Canales.	Kennedy.
Chaney.	Matthews.
Crockett of Mitchell.	McDonald.
Driggers.	O'Bryan.
Fant.	Smith.
Fitzhugh.	Wahrmund.
Flournoy.	Wilburn.
Graham.	Wortham.
Haxthausen.	Yantis.

Absent—Excused.

Brown.	Pearson.
Byrne.	Porter.
Crawford.	Ralston.
Crockett of Washington.	Stead.
Fuller.	Strickland.
Harman.	Terrell of Bexar.
Johnson.	Terrell of Cherokee.
Luce.	Von Rosenberg.
Munson.	Walter.

REPORT OF FREE CONFERENCE COMMITTEE ON HOUSE BILL NO. 5.

Mr. Bowles called up from the Speaker's table the report of the Free Conference Committee on House bill No. 5.

The Speaker laid the report before the House, and it was read as follows:

Committee Room,
Austin, Texas, August 13, 1910.

Hon. John Marshall, Speaker of the House and Representatives, and Hon. A. B. Davidson, President of the Senate.

Sirs: We, your Free Conference Committee appointed on

House bill No. 5, A bill to be entitled "An Act to prohibit the exhibition of prize fights or glove contests or any obscene, indecent or immoral show, or exhibition by means of moving picture films, bioscopes, magic lanterns or other devices, in moving picture shows, theaters, or any other place whatsoever, by any person, association, corporation, or any agent or employe of any person, association, corporation or receiver, firm or person, providing penalties therefor, and declaring an emergency; and to repeal all laws in conflict with this act; and providing that this act shall in no way repeal or be in conflict with Chapter 10, Articles 1005 and 1005a of the Penal Code of Texas, and declaring an emergency,"

Have had the same under consideration, and beg leave to report as follows:

Strike out all of the Senate substitute and insert in lieu thereof the following:

"An Act to prohibit the exhibition of prize fights or glove contests and any obscene, indecent or immoral show or exhibition by means of moving picture films, bioscopes, magic lanterns or other devices, in moving picture shows, theaters, or any other place whatsoever, by any person, association, corporation or any agent or employe of any person, association, corporation or receiver, firm or person; providing penalties therefor, and to repeal all laws in conflict with this act; and providing that this act shall in no way repeal or be in conflict with Chapter 10, Articles 1005 and 1005a of the Penal Code of Texas, and shall in no way repeal or be in conflict declaring an emergency."

Be it enacted by the Legislature of the State of Texas:

Section 1. It shall be unlawful for any person, association, corporation, or any agent or employe of any person, association, corporation or receiver, partnership or firm to give or present to the public an exhibition of prize fights or glove contests or of any obscene, indecent or immoral picture of any character whatsoever by means of moving picture films, bioscopes, vitiscopes, magic lanterns or other device or devices in moving picture shows, theaters or any other place whatsoever.

Sec. 2. Any person or persons, association, or any agent or employe of any person, association, corporation or receiver violating any of the provisions of Section 1 of this act shall, upon con-

viction thereof, be fined in any sum not less than one hundred dollars and not more than one thousand dollars, or be imprisoned in the county jail for not less than ten nor more than sixty days, or both, in the discretion of the court or jury, and each day's violation of any of the provisions of this act shall constitute and be punishable as a separate offense.

Sec. 3. All laws and parts of laws in conflict herewith be and the same are hereby repealed. But this act shall in no way repeal or be in conflict with Chapter 10, Articles 1005 and 1005a of the Penal Code of Texas.

Sec. 4. The fact that there is no general law in force in this State preventing the unlawful exhibiting of prize fighting between man and man, and man and beast, and the exhibition of obscene views of persons and beast by moving pictures and others devices, constitute an imperative public necessity that the constitutional rule requiring bills to be read in each house of the Legislature on three several days be suspended, and that this act shall take effect from and after its passage, and it is so enacted.

WARD,
ALEXANDER,
COFER,
HARPER,

On the part of the Senate.
BOWLES,
HAMILTON of Childress,
GILMORE,

On the part of the House.

Question—Shall the report of the Free Conference Committee be adopted?

Mr. Bowles moved that the report be adopted.

The Clerk was directed to call the roll, and the report of the Free Conference Committee was adopted by the following vote:

Yeas—91.

Adams.	Briscoe.
Anderson.	Brooks.
Aston.	Brookshire.
Baker of Hood.	Brownlee.
Baker of Panola.	Cable.
Barrett.	Cathey.
Bartlett.	Caves.
Bierschwale.	Cox.
Bogard.	Craven.
Bostic.	Crisp.
Boswell.	Currey.
Bowles.	Dalby.
Branch.	Davis.

Dotson.	Nickels.
Driggers.	O'Bryan.
Elliott.	Odom.
German.	Penn.
Gilmore.	Perkins.
Goodman.	Pharr.
Graham.	Rabb.
Hamilton of	Ray.
Childress.	Rayburn.
Hamilton of	Reedy.
McCulloch.	Reid.
Hill.	Roach.
Humphrey.	Roberson of Erath.
Hunt.	Robertson of Bell.
Jackson.	Robertson of
Jennings.	Travis.
Lawson.	Ross.
Leach.	Schluter.
Lee.	Schofield.
Lively.	Self.
Looney.	Spradley.
Maddox.	Stamps.
Mason.	Standifer.
Maxwell.	Stephenson.
McCallum.	Stratton.
McDaniel.	Tarver.
McGown.	Tillotson.
McKinney.	Turner.
McLain.	Turney.
Minton.	Vaughan.
Moller.	Watson.
Morris.	Werner.
Nelson of Hopkins.	Wilburn.
Nelson of	Wilson.
Kaufman.	

Nays—1.

Buchanan.

Present—Not Voting.

Cureton.

Absent.

Ballengee.	Johnston.
Bell.	Keeble.
Canales.	Kennedy.
Chaney.	Matthews.
Crockett of	McDonald.
Mitchell.	O'Bryant.
Fant.	Smith.
Fitzhugh.	Stepter.
Flournoy.	Wahrmund.
Haxthausen.	Wortham.
Highsmith.	Yantis.

Absent—Excused.

Brown.	Pearson.
Byrne.	Porter.
Crawford.	Ralston.
Crockett of	Stead.
Washington	Strickland.
Fuller.	Terrell of Bexar.
Harman.	Terrell of
Johnson.	Cherokee.
Luce.	Von Rosenberg.
Munson.	Walter.

HOUSE BILL NO. 41 ON THIRD
READING.

Mr. Elliott, by unanimous consent, moved to suspend the constitutional rule requiring bills to be read on three several days in each house, and that House bill No. 41, amending the charter of the city of Denison, be placed on third reading and final passage.

The motion prevailed by the following vote:

Yeas—91.

Adams.	Maddox.
Anderson.	Mason.
Aston.	Maxwell.
Baker of Hood.	McCallum.
Baker of Panola.	McDaniel.
Barrett.	McGown.
Bartlett.	McKinney.
Bell.	McLain.
Bierschwale.	Minton.
Bogard.	Moller.
Bostic.	Morris.
Boswell.	Nelson of Hopkins.
Bowles.	Nelson of
Branch.	Kaufman.
Briscoe.	Nickels.
Brooks.	O'Bryan.
Brookshire.	O'Bryant.
Brownlee.	Odom.
Buchanan.	Penn.
Cable.	Pharr.
Cathey.	Rabb.
Cox.	Ray.
Craven.	Rayburn.
Crisp.	Reedy.
Currey.	Reid.
Dalby.	Roach.
Davis.	Roberson of Erath.
Dotson.	Robertson of Bell.
Driggers.	Robertson of
Elliott.	Travis.
Flournoy.	Ross.
German.	Schluter.
Gilmore.	Schofield.
Goodman.	Self.
Graham.	Spradley.
Hamilton of	Stamps.
Childress.	Standifer.
Hamilton of	Stephenson.
McCulloch.	Stratton.
Hill.	Tarver.
Humphrey.	Tillotson.
Hunt.	Turney.
Jackson.	Vaughan.
Jennings.	Watson.
Lawson.	Werner.
Leach.	Wilburn.
Lee.	Wilson.
Looney.	

Present—Not Voting.

Cureton.

Absent.

Ballengee.	Lively.
Canales.	Luce.
Caves.	Matthews.
Chaney.	McDonald.
Crockett of	Pearson.
Mitchell.	Perkins.
Fant.	Smith.
Fitzhugh.	Stepter.
Haxthausen.	Turner.
Highsmith.	Wahrmund.
Johnston.	Wortham.
Keeble.	Yantis.
Kennedy.	

Absent—Excused.

Brown.	Porter.
Byrne.	Ralston.
Crawford.	Stead.
Crockett of	Strickland.
Washington.	Terrell of Bexar.
Fuller.	Terrell of
Harman.	Cherokee.
Johnson.	Von Rosenberg.
Munson.	Walter.

The Speaker laid the bill before the House, and it was read third time.

Question—Shall the bill be passed?

The Clerk was directed to call the roll, and the bill was passed by the following vote:

Yeas—90.

Adams.	Gilmore.
Anderson.	Goodman.
Aston.	Graham.
Baker of Hood.	Hamilton of
Baker of Panola.	Childress.
Barrett.	Hamilton of
Bartlett.	McCulloch.
Bell.	Hill.
Bierschwale.	Humphrey.
Bostic.	Hunt.
Boswell.	Jackson.
Bowles.	Jennings.
Branch.	Lawson.
Briscoe.	Leach.
Brooks.	Lee.
Brownlee.	Lively.
Buchanan.	Looney.
Cable.	Maddox.
Cathey.	Mason.
Cox.	Maxwell.
Craven.	McCallum.
Crisp.	McDaniel.
Currey.	McGown.
Dalby.	McKinney.
Davis.	McLain.
Dotson.	Minton.
Driggers.	Moller.
Elliott.	Morris.
Fitzhugh.	Nelson of Hopkins.
Flournoy.	Nelson of
German.	Kaufman.

Nickels.	Schluter.
O'Bryan.	Schofield.
O'Bryant.	Self.
Penn.	Spradley.
Perkins.	Standifer.
Pharr.	Stephenson.
Rabb.	Stratton.
Ray.	Tarver.
Reedy.	Tillotson.
Reid.	Turner.
Roach.	Vaughan.
Roberson of Erath.	Watson.
Robertson of Bell.	Werner.
Robertson of	Wilburn.
Travis.	Wilson.
Ross.	

Present—Not Voting.

Cureton.

Absent.

Ballengee.	Kennedy.
Bogard.	Matthews.
Brookshire.	McDonald.
Canales.	Pearson.
Caves.	Rayburn.
Chaney.	Smith.
Crockett of	Stamps.
Mitchell.	Stepter.
Fant.	Turney.
Haxthausen.	Wahrmund.
Highsmith.	Wortham.
Johnston.	Yantis.
Keeble.	

Absent—Excused.

Brown.	Odom.
Byrne.	Porter.
Crawford.	Ralston.
Crockett of	Stead.
Washington.	Strickland.
Fuller.	Terrell of Bexar.
Harman.	Terrell of
Johnson.	Cherokee.
Luce.	Von Rosenberg.
Munson.	Walter.

HOUSE BILL NO. 33 ON SECOND
READING.

On motion of Mr. Moller, by unanimous consent, the regular order of business was suspended to take up and have placed on second reading and passage to engrossment,

House bill No. 33, A bill to be entitled "An Act to require persons, firms, corporations and associations of persons engaged in compressing cotton in this State to so bind and tie all bales of cotton so that no bale of cotton by them compressed, recompressed, baled, or re-baled shall be delivered to any railroad company or other common carrier unless the same is free from 'spiders,' exposed ends of bands, or any exposed or any obtruding part of the ties, bands, buckles, or splices used in tying or bal-

ing such bale of cotton; and to provide penalties therefor; and prescribing the duties of the Commissioner of Labor, and providing means of reimbursing him and his deputies for expenditures in performing such duties, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Question—Shall the bill be passed to engrossment?

Mr. Moller offered the following amendments to the bill:

(1)

Amend House bill No. 33 by erasing the word "spider," in Section 1, line 26, and in lieu thereof insert the word "dangerously."

(2)

Amend House bill No. 33 by inserting the word "dangerously" after the word "any" in line 27, Section 1.

The amendments were adopted.

Mr. Moller offered the following amendment to the bill:

Amend House bill No. 33 by striking out in Section 2, line 4, all of said section after the word "hereof" and insert in lieu thereof the following: "It is further provided that the sum of five thousand dollars, or as much thereof as may be necessary, is hereby appropriated out of any funds in the State Treasury not already appropriated, for the use of the Bureau of Labor Statistics so as to enable its officers and deputies to perform their duties hereinbefore mentioned for the fiscal year ending August 31, 1911. The Commissioner of Labor shall file annual statement with the Governor, showing in detail all expenses incurred by him in connection with his duties under this act."

Mr. Schluter offered the following substitute for the amendment:

Amend by striking out Section 2 of the bill and changing Section 3 so that it will be numbered Section 2.

Mr. Moller moved to table the substitute.

Question—Shall the motion to table prevail?

Yeas and nays were demanded, and the motion to table prevailed by the following vote:

Yeas—75.

Adams.	Bell.
Anderson.	Bierschwale.
Baker of Hood.	Bogard.
Baker of Panola.	Bostic.
Ballengee.	Boswell.

Bowles.	Lee.
Branch.	Lively.
Briscoe.	Looney.
Brownlee.	Mason.
Buchanan.	Maxwell.
Cable.	McCallum.
Cathey.	McDaniel.
Caves.	McLain.
Craven.	Minton.
Crisp.	Moller.
Crockett of	Morris.
Mitchell.	Nickels.
Cureton.	O'Bryan.
Currey.	O'Bryant.
Dalby.	Odom.
Davis.	Penn.
Dotson.	Perkins.
Driggers.	Ray.
Elliott.	Rayburn.
Flournoy.	Reedy.
German.	Reid.
Gilmore.	Roberson of Erath.
Goodman.	Robertson of Bell.
Graham.	Ross.
Hamilton of	Standifer.
Childress.	Stephenson.
Hamilton of	Stepter.
McCulloch.	Stratton.
Hill.	Tarver.
Humphrey.	Turner.
Hunt.	Turney.
Jackson.	Watson.
Jennings.	Wilburn.
Lawson.	Wilson.
Leach.	

Nays—21.

Aston.	Rabb.
Barrett.	Roach.
Bartlett.	Robertson of Travis.
Brooks.	Schluter.
Cox.	Schofield.
Fitzhugh.	Self.
McKinney.	Smith.
Nelson of Hopkins.	Spradley.
Nelson of	Stamps.
Kaufman.	Tillotson.
Pharr.	Werner.

Present—Not Voting.

McGown.

Absent.

Brookshire.	Kennedy.
Canales.	Maddox.
Chaney.	Matthews.
Fant.	McDonald.
Haxthausen.	Vaughan.
Highsmith.	Wahrmund.
Johnston.	Wortham.
Keeble.	Yantis.

Absent—Excused.

Brown.	Fuller.
Byrne.	Harman.
Crawford.	Johnson.
Crockett of	Luce.
Washington.	Munson.

Pearson.	Terrell of Bexar.
Porter.	Terrell of
Ralston.	Cherokee.
Stead.	Von Rosenberg.
Strickland.	Walter.

Question recurring on the amendment by Mr. Moller, it was adopted.

Mr. Moller offered the following amendments to the bill:

(1)

Amend House bill No. 33 by inserting in line 11, Section 3, after the word "handling" the word "dangerously," and strike out in the same line the following words, "by being cut by spiders."

(2)

Amend House bill No. 33 by striking out in the caption, line 11, the word "spider," and insert in lieu thereof the word "dangerously."

(3)

Amend the caption, line 12, by inserting after the word "obtruding," which word begins on line 11, the word "dangerous."

(4)

Amend the caption by striking out all after the word "and," in line 14, and insert in lieu thereof the following: "Making an appropriation for the Bureau of Labor Statistics, and providing for annual accounting by said Commissioner of Labor, and declaring an emergency."

The amendments were adopted.

(Mr. Gilmore in the chair.)

Mr. Robertson of Travis offered the following amendment to the bill:

Amend House bill No. 33 by striking out all of Section 1 after the words "bale of cotton," in lines 28 and 29 on page 1, and insert in lieu thereof the following: "That compress cotton shall be inspected by the Commissioner of Labor and his deputies upon the platform and wharf before being placed on board of ship, and whenever it is found that there are any dangerously exposed ends of bands or buckles or dangerously and exposed or protruding parts of ties, bands or buckles or splices used in tying, baling or binding any bale of cotton, then such defective bale of cotton shall be taken to a compress near to said wharf and the dangerous condition of the ties and buckles removed, and the person, firm, corporation or association owning and operating the compress by which said cotton was originally compressed shall pay to the compress company correcting

the same the expense and cost of correcting and removing the defective and dangerous condition of the ties and bands upon such bale of cotton and rebaling and rebanding of the same, and in addition thereto shall pay the sum of \$2 per bale for each and every bale so found defectively bound, which sum may be collected by suit brought in any court of competent jurisdiction in the county where the defect is so remedied."

Mr. Adams moved to table the amendment.

Question—Shall the motion to table prevail?

Yeas and nays were demanded and the motion to table prevailed by the following vote:

Yeas—79.

Adams.	Jackson.
Aston.	Jennings.
Baker of Hood.	Johnston.
Baker of Panola.	Lawson.
Ballengee.	Lee.
Bartlett.	Lively.
Bell.	Looney.
Bogard.	Maddox.
Bostic.	Mason.
Boswell.	Maxwell.
Bowles.	McCallum.
Branch.	McDaniel.
Briscoe.	McGown.
Buchanan.	McLain.
Cable.	Minton.
Canales.	Moller.
Cathey.	Morris.
Caves.	Nickels.
Cox.	O'Bryan.
Craven.	Odom.
Crisp.	Penn.
Crockett of	Perkins.
Mitchell.	Pharr.
Cureton.	Ray.
Currey.	Rayburn.
Dalby.	Reedy.
Dotson.	Reid.
Driggers.	Roach.
Elliott.	Roberson of Erath.
Flournoy.	Robertson of Bell.
German.	Ross.
Gilmore.	Smith.
Goodman.	Stamps.
Graham.	Stephenson.
Hamilton of	Stepter.
Childress.	Stratton.
Hamilton of	Tarver.
McCulloch.	Turney.
Hill.	Vaughan.
Humphrey.	Watson.
Hunt.	Wilburn.

Nays—18.

Anderson.	Leach.
Barrett.	McDonald.
Bierschwale.	McKinney.

Nelson of Hopkins.	Schluter.
Nelson of	Schofield.
Kaufman.	Self.
O'Bryant.	Spradley.
Rabb.	Standifer.
Robertson of	Tillotson.
Travis.	Werner.

Absent.

Brooks.	Keeble.
Brookshire.	Kennedy.
Brownlee.	Matthews.
Chaney.	Turner.
Davis.	Wahrmund.
Fant.	Wilson.
Fitzhugh.	Wortham.
Haxthausen.	Yantis.
Highsmith.	

Absent—Excused.

Brown.	Pearson.
Byrne.	Porter.
Crawford.	Ralston.
Crockett of	Stead.
Washington.	Strickland.
Fuller.	Terrell of Bexar.
Harman.	Terrell of
Johnson.	Cherokee.
Luce.	Von Rosenberg.
Munson.	Walter.

Mr. Self moved to postpone further consideration of the bill until next Monday at 2 o'clock p. m.

On motion of Mr. Moller, the motion to postpone was tabled.

Mr. Aston offered the following amendment to the bill:

Amend House bill No. 33, on page 1, line 35, by striking out the words "one thousand (\$1000)" and inserting the words "two hundred and fifty (\$250)."

Mr. Stephenson moved the previous question on the amendment and the bill, and the main question was ordered.

Question first recurring on the amendment by Mr. Aston, it was adopted.

House bill No. 33 was passed to engrossment.

HOUSE BILL NO. 33 ON THIRD READING.

Mr. Moller moved to suspend the constitutional rule requiring bills to be read on three several days in each house, and that House bill No. 33 be placed on third reading and final passage.

The motion prevailed by the following vote:

Yeas—90.

Adams.	Ballengee.
Anderson.	Barrett.
Aston.	Bartlett.
Baker of Hood.	Bell.
Baker of Panola.	Bogard.

Bostic.	Looney.
Boswell.	Maddox.
Bowles.	Mason.
Branch.	Maxwell.
Briscoe.	McCallum.
Brooks.	McDaniel.
Buchanan.	McGown.
Cable.	McLain.
Canales.	Minton.
Cathey.	Moller.
Caves.	Morris.
Craven.	Nelson of Hopkins.
Crisp.	Nickels.
Crockett of	O'Bryan.
Mitchell.	Odum.
Cureton.	Penn.
Currey.	Perkins.
Dalby.	Pharr.
Davis.	Rabb.
Dotson.	Ray.
Driggers.	Rayburn.
Elliott.	Reedy.
Fitzhugh.	Reid.
Flournoy.	Roach.
German.	Roberson of Erath.
Gilmore.	Robertson of Bell.
Goodman.	Robertson of
Graham.	Travis.
Hamilton of	Ross.
Childress.	Schluter.
Hamilton of	Schofield.
McCulloch.	Stamps.
Hill.	Standifer.
Humphrey.	Stephenson.
Hunt.	Stepter.
Jackson.	Stratton.
Jennings.	Tarver.
Johnston.	Tillotson.
Lawson.	Turney.
Leach.	Vaughan.
Lee.	Watson.
Lively.	Wilburn.

Nays—8.

Bierschwale.	Self.
McDonald.	Smith.
Nelson of	Spradley.
Kaufman.	Werner.
O'Bryant.	

Absent.

Brookshire.	Kennedy.
Brownlee.	Matthews.
Chaney.	McKinney.
Cox.	Turner.
Fant.	Wahrmund.
Haxthausen.	Wilson.
Highsmith.	Wortham.
Keeble.	Yantis.

Absent—Excused.

Brown.	Harman.
Byrne.	Johnson.
Crawford.	Luce.
Crockett of	Munson.
Washington.	Pearson.
Fuller.	Porter.

Ralston.	Terrell of
Stead.	Cherokee.
Strickland.	Von Rosenberg.
Terrell of Bexar.	Walter.

(Speaker in the chair.)

The Speaker laid the bill before the House and it was read third time.

Question—Shall the bill be passed?

The Clerk was directed to call the roll, and the bill was passed by the following vote:

Yeas—88.

Adams.	Kennedy.
Anderson.	Lawson.
Aston.	Leach.
Baker of Hood.	Lee.
Baker of Panola.	Lively.
Ballengee.	Looney.
Barrett.	Maddox.
Bartlett.	Mason.
Bell.	Maxwell.
Bogard.	McCallum.
Bostic.	McDaniel.
Boswell.	McGown.
Bowles.	McLain.
Branch.	Minton.
Briscoe.	Moller.
Buchanan.	Morris.
Cable.	Nickels.
Cathey.	O'Bryan.
Caves.	Odum.
Cox.	Penn.
Craven.	Pharr.
Crisp.	Rabb.
Crockett of	Ray.
Mitchell.	Reedy.
Cureton.	Reid.
Currey.	Roach.
Dalby.	Roberson of Erath.
Dotson.	Robertson of Bell.
Driggers.	Ross.
Elliott.	Schluter.
Fitzhugh.	Schofield.
Flournoy.	Smith.
German.	Spradley.
Gilmore.	Stamps.
Goodman.	Standifer.
Graham.	Stephenson.
Hamilton of	Stepter.
Childress.	Stratton.
Hamilton of	Tarver.
McCulloch.	Tillotson.
Harman.	Turney.
Hill.	Vaughan.
Humphrey.	Watson.
Hunt.	Wilburn.
Jackson.	Wilson.
Jennings.	

Nays—5.

Bierschwale.	Self.
Nelson of Hopkins.	Werner.
O'Bryant.	

Absent.

Brooks.	Brownlee.
Brookshire.	Canales.

Chaney.	Nelson of
Davis.	Kaufman.
Fant.	Perkins.
Haxthausen.	Rayburn.
Highsmith.	Robertson of
Johnston.	Travis.
Keeble.	Turner.
Matthews.	Wahrmund.
McDonald.	Wortham.
McKinney.	Yantis.
Absent—Excused.	

Brown.	Porter
Byrne.	Ralston.
Crawford.	Stead.
Crockett of	Strickland.
Washington.	Terrell of Bexar.
Fuller.	Terrell of
Johnson.	Cherokee.
Luce.	Von Rosenberg.
Munson.	Walter.
Pearson.	

REASON FOR VOTE.

I vote "no" because the penalty of \$250 on each bale of cotton wrongly tied is too great.

SELF.

Mr. Moller moved to reconsider the vote by which House bill No. 33 was passed, and to table the motion to reconsider.

The motion to table prevailed.

PRESENTATION TO SPEAKER.

(By Unanimous Consent.)

Immediately following the passage of House bill No. 33 Hon. Jens Moller thanked the Speaker and members of the House for the passage of same, and as a mark of appreciation presented to Speaker Marshall a miniature bale of cotton properly banded.

Speaker Marshall, in a few well chosen remarks, accepted the present and thanked the donor.

BILL SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof, and its caption had been read, the following bill:

House bill No. 5, "An Act to prohibit the exhibition of prize fights or glove contests and any obscene, indecent or immoral show or exhibition by means of moving picture films, bioscopes, magic lanterns or other devices, in moving picture shows, theaters, or any other place whatsoever, by any person, association, corporation or any agent or employe of any person, association, corporation or receiver, firm or person; providing pen-

alties therefor, and to repeal all laws in conflict with this act; and providing that this act shall in no way repeal or be in conflict with Chapter 10, Articles 1005 and 1005a of the Penal Code of Texas, and declaring an emergency."

MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, August 13, 1910.

Hon. John Marshall, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following bills:

Senate bill No. 21, A bill to be entitled "An Act to authorize and empower Lamar county or any political subdivision of said county by a vote of a two-thirds majority of the resident property taxpayers, qualified voters of such county or political subdivision thereof, voting thereon, to issue bonds to any amount not exceeding one-fourth of the assessed valuation of the real property of such county or of such political subdivision, and to levy and collect taxes to pay the interest on such bonds and to provide a sinking fund for the redemption thereof for the purpose of constructing, maintaining and operating macadamized, gravelled or paved roads and turnpikes and prescribing ways and means of conducting and supervising said work, and to repeal Chapter 72 of the Special Laws of the Thirty-first Legislature, creating a special road law for Lamar county, approved March 17, 1909, and declaring an emergency."

House bill No. 40, A bill to be entitled "An Act to incorporate the city of San Antonio, Bexar county, Texas, and to grant it a new charter to provide for a commission form of government; to define its powers and to prescribe its duties and liabilities; to provide for the approval of said charter by the qualified electors of said city, and to declare an emergency, and to repeal all acts in conflict herewith."

The Senate has adopted the Free Conference Committee report on House bill No. 5 by the following vote: Yeas 23, nays 3.

Respectfully,

CLYDE D. SMITH,
Secretary of the Senate.

SENATE BILL ON FIRST READING.

Senate bill No. 21, received from the Senate today, was laid before the House, read first time and referred to the Committee on Roads, Bridges and Ferries.

BILLS ORDERED NOT PRINTED.

(By Unanimous Consent.)

On motion of Mr. Currey, it was ordered that House bill No. 44, the Van Zandt county road law, be not printed.

On motion of Mr. Mason, it was ordered that Senate bill No. 21, the Lamar county road law, be not printed.

On motion of Mr. McCallum, it was ordered that Senate bill No. 11 be not printed for the reason that a House bill identically the same had been printed.

HOUSE BILL NO. 44 ON SECOND READING.

(By Unanimous Consent.)

Mr. Currey moved to suspend the constitutional rule requiring bills to be read on three several days in each house, and that House bill No. 44 be placed on second reading and passage to engrossment.

The motion prevailed by the following vote:

Yeas—92.

Adams.	Hill.
Anderson.	Humphrey.
Aston.	Hunt.
Baker of Hood.	Jackson.
Baker of Panola.	Jennings.
Ballengee.	Johnston.
Barrett.	Lawson.
Bartlett.	Leach.
Bell.	Lee.
Bierschwale.	Lively.
Bogard.	Looney.
Bostic.	Maddox.
Boswell.	Mason.
Bowles.	Maxwell.
Branch.	McCallum.
Buchanan.	McDaniel.
Cable.	McGown.
Cathey.	McKinney.
Caves.	McLain.
Craven.	Minton.
Crisp.	Moller.
Crockett of	Morris.
Mitchell.	Nelson of Hopkins.
Cureton.	Nelson of
Currey.	Kaufman.
Davis.	Nickels.
Dotson.	O'Bryan.
Driggers.	O'Bryant.
Elliott.	Odom.
Fitzhugh.	Penn.
Flournoy.	Pharr.
German.	Rabb.
Gilmore.	Ray.
Goodman.	Reedy.
Graham.	Reid.
Hamilton of	Roach.
Childress.	Roberson of Erath.
Hamilton of	Robertson of Bell.
McCulloch.	Ross.
Harman.	Schluter.

Self.
Smith.
Spradley.
Stamps.
Standifer.
Stephenson.
Stepter.
Stratton.

Tarver.
Tillotson.
Turney.
Vaughan.
Watson.
Werner.
Wilburn.
Wilson.

Absent.

Briscoe.	Kennedy.
Brooks.	Matthews.
Brookshire.	McDonald.
Brownlee.	Perkins.
Canales.	Rayburn.
Chaney.	Robertson of
Cox.	Travis.
Dalby.	Schofield.
Fant.	Turner.
Haxthausen.	Wahrmund.
Highsmith.	Wortham.
Keeble.	Yantis.

Absent—Excused.

Brown.	Porter.
Byrne.	Ralston.
Crawford.	Stead.
Crockett of	Strickland.
Washington.	Terrell of Bexar.
Fuller.	Terrell of
Johnson.	Cherokee.
Luce.	Von Rosenberg.
Munson.	Walter.
Pearson.	

The Speaker laid before the House, on second reading and passage to engrossment,

House bill No. 44, A bill to be entitled "An Act to amend Sections 6 and 7, of Chapter 69, of the local and special laws of the Thirtieth Legislature, being entitled 'An Act to amend the special road law of Van Zandt county, Texas,' as enacted by the Twenty-eighth Legislature, and sent to the Governor for approval on the 18th of March, 1903, and to authorize and empower the commissioners court of said county to issue bonds for the permanent improvement of the public roads of said county, and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 44 ON THIRD READING.

Mr. Gilmore moved to suspend the constitutional rule requiring bills to be read on three several days in each house and that House bill No. 44 be placed on third reading and final passage.

The motion prevailed by the following vote:

Yeas—94.

Anderson.	Looney.
Adams.	Maddox.
Baker of Hood.	Mason.
Baker of Panola.	Maxwell.
Ballengee.	McCallum.
Barrett.	McDaniel.
Bartlett.	McDonald.
Bell.	McGown.
Bierschwale.	McKinney.
Bogard.	Minton.
Bostic.	Moller.
Boswell.	Morris.
Bowles.	Nelson of Hopkins.
Branch.	Nelson of
Briscoe.	Kaufman.
Buchanan.	Nickels.
Cable.	O'Bryan.
Cathey.	O'Bryant.
Caves.	Odom.
Cox.	Penn.
Craven.	Pharr.
Crisp.	Rabb.
Crockett of	Ray.
Mitchell.	Rayburn.
Cureton.	Reedy.
Currey.	Reid.
Davis.	Roach.
Dotson.	Roberson of Erath.
Driggers.	Robertson of Bell.
Elliott.	Robertson of
Fitzhugh.	Travis.
Flournoy.	Ross.
German.	Schluter.
Gilmore.	Schofield.
Goodman.	Self.
Graham.	Spradley.
Hamilton of	Stamps.
Childress.	Standifer.
Hamilton of	Stephenson.
McCulloch.	Stepter.
Harman.	Stratton.
Hill.	Tarver.
Humphrey.	Tillotson.
Hunt.	Turney.
Jackson.	Vaughan.
Jennings.	Watson.
Lawson.	Werner.
Leach.	Wilburn.
Lee.	Wilson.
Lively.	

Absent.

Aston.	Kennedy.
Brooks.	Keeble.
Brookshire.	Matthews.
Brownlee.	McLain.
Canales.	Perkins.
Chaney.	Smith.
Dalby.	Turner.
Fant.	Wahrmund.
Haxthausen.	Wortham.
Highsmith.	Yantis.
Johnston.	

Absent—Excused.

Brown.	Byrne.
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Crawford.	Ralston.
Crockett of	Stead.
Washington.	Strickland.
Fuller.	Terrell of Bexar.
Johnson.	Terrell of
Luce.	Cherokee.
Munson.	Von Rosenberg.
Pearson.	Walter.
Porter.	

The Speaker laid the bill before the House, and it was read third time, and was passed.

HOUSE BILL NO. 34 ON SECOND READING.

On motion of Mr. Schluter, by unanimous consent, the regular order of business was suspended to take up and have placed on second reading and passage to engrossment,

House bill No. 34, A bill to be entitled "An Act making appropriation for the purpose of overhauling and repairing three boilers at the Deaf and Dumb Asylum, and to put them in safe working condition, providing the manner of expenditure of such appropriation, and declaring an emergency."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

HOUSE BILL NO. 34 ON THIRD READING.

Mr. Schluter moved to suspend the constitutional rule requiring bills to be read on three several days in each house, and that House bill No. 34 be placed on third reading and final passage.

The motion prevailed by the following vote:

Yeas—93.

Adams.	Crisp.
Anderson.	Crockett of
Aston.	Mitchell.
Baker of Hood.	Cureton.
Baker of Panola.	Currey.
Ballengee.	Dalby.
Barrett.	Davis.
Bierschwale.	Dotson.
Bogard.	Driggers.
Bostic.	Elliott.
Boswell.	Flournoy.
Bowles.	German.
Branch.	Gilmore.
Briscoe.	Goodman.
Buchanan.	Graham.
Cable.	Hamilton of
Canales.	Childress.
Cathey.	Hamilton of
Caves.	McCulloch.
Cox.	Harman.
Craven.	Hill.

Humphrey.	Pharr.	Bierschwale.	Maddox.
Hunt.	Ray.	Bogard.	Mason.
Jackson.	Rayburn.	Bostic.	McCallum.
Jennings.	Reedy.	Boswell.	McDaniel.
Johnston.	Reid.	Bowles.	McKinney.
Lawson.	Roach.	Branch.	McLain.
Leach.	Roberson of Erath.	Briscoe.	Minton.
Lee.	Robertson of Bell.	Buchanan.	Moller.
Lively.	Robertson of	Cable.	Morris.
Looney.	Travis.	Canales.	Nelson of Hopkins.
Maddox.	Ross.	Cathey.	Nelson of
Mason.	Schluter.	Caves.	Kaufman.
McCallum.	Schofield.	Cox.	Nickels.
McDaniel.	Self.	Craven.	O'Bryan.
McDonald.	Smith.	Crisp.	O'Bryant.
McKinney.	Spradley.	Crockett of	Odom.
McLain.	Stamps.	Mitchell.	Penn.
Minton.	Standifer.	Cureton.	Pharr.
Moller.	Stephenson.	Currey.	Rayburn.
Morris.	Stratton.	Dalby.	Reedy.
Nelson of Hopkins.	Tarver.	Davis.	Reid.
Nelson of	Tillotson.	Dotson.	Roach.
Kaufman.	Turney.	Driggers.	Roberson of Erath.
Nickels.	Vaughan.	Elliott.	Robertson of Bell.
O'Bryan.	Watson.	German.	Robertson of
O'Bryant.	Werner.	Gilmore.	Travis.
Odom.	Wilburn.	Goodman.	Ross.
Penn.	Wilson.	Graham.	Schluter.
Absent.		Hamilton of	Schofield.
		Childress.	Self.
Bartlett.	Kennedy.	Hamilton of	Smith.
Bell.	Matthews.	McCulloch.	Spradley.
Brooks.	Maxwell.	Harman.	Stamps.
Brookshire.	McGown.	Hill.	Standifer.
Brownlee.	Perkins.	Humphrey.	Stephenson.
Chaney.	Rabb.	Hunt.	Stratton.
Fant.	Stepter.	Jackson.	Tarver.
Fitzhugh.	Turner.	Jennings.	Tillotson.
Haxthausen.	Wahrmond.	Johnston.	Turney.
Highsmith.	Wortham.	Lawson.	Vaughan.
Keeble.	Yantis.	Leach.	Watson.
Absent—Excused.		Lee.	Werner.
		Lively.	Wilburn.
Brown.	Porter.	Looney.	Wilson.
Byrne.	Ralston.	Absent.	
Crawford.	Stead.	Bartlett.	Matthews.
Crockett of	Strickland.	Brooks.	Maxwell.
Washington.	Terrell of Bexar.	Brookshire.	McDonald.
Fuller.	Terrell of	Brownlee.	McGown.
Johnson.	Cherokee.	Chaney.	Perkins.
Luce.	Von Rosenberg.	Fant.	Rabb.
Munson.	Walter.	Fitzhugh.	Ray.
Pearson.		Flournoy.	Stepter.
The Speaker laid the bill before the		Haxthausen.	Turner.
House and it was read third time.		Highsmith.	Wahrmond.
Question—Shall the bill be passed?		Keeble.	Wortham.
The Clerk was directed to call the roll		Kennedy.	Yantis.
and the law was passed by the following		Absent—Excused.	
vote:		Brown.	Johnson.
Yeas—91.		Byrne.	Luce.
Adams.	Baker of Panola.	Crawford.	Munson.
Anderson.	Ballengee.	Crockett of	Pearson.
Aston.	Barrett.	Washington.	Porter.
Baker of Hood.	Bell.	Fuller.	Ralston.

Stead. Terrell of Cherokee.
Strickland. Von Rosenberg
Terrell of Bexar. Walter.]

HOUSE BILL NO. 31 ON SECOND READING.

(By Unanimous Consent.)

The Speaker laid before the House, on second reading and passage to engrossment,

House bill No. 31, A bill to be entitled "An Act making appropriations for repairing, improving and constructing a sewerage system, and for general repairs at the North Texas Hospital for the Insane, and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 39 ON SECOND READING.

(By Unanimous Consent.)

The Speaker laid before the House, on second reading and passage to engrossment,

House bill No. 39, A bill to be entitled "An Act making an appropriation for a deficiency in support of the State government for the fiscal year ending August 31, 1910, being to pay for the services of a clerk employed by the Tax Commissioner of the State of Texas, and declaring an emergency."

The bill was read second time and was passed to engrossment.

SENATE BILL NO. 11 ON SECOND READING.

(By Unanimous Consent.)

The Speaker laid before the House, on second reading and passage to third reading,

Senate bill No. 11, A bill to be entitled "An Act to amend Chapter 16 of the Acts of the Regular Session of the Thirty-first Legislature of the State of Texas, approved February 20, 1909, entitled 'An Act authorizing any county in the State of Texas having a population in excess of fifty thousand inhabitants by the last preceding United States census, to submit to the qualified voters the propriety of a bond issue for the construction and maintenance of causeways, viaducts, bridges and approaches across any rivers within the limits of such county, and to provide for the construction, maintenance and use of such causeways, viaducts, bridges and approaches, and declaring an emergency,' by adding thereto Sections 9a and 9b, providing a method

by which counties may acquire land upon which to construct and maintain said causeways, viaducts, bridges and approaches, by condemnation, and by grant from cities and counties of the right to use streets, alleys, public highways and public grounds, and to authorize counties to construct said causeways, viaducts, bridges and approaches across the lines of railway, telegraph and telephone corporations, and the method thereof, and declaring an emergency."

The bill was read second time and was passed to third reading.

MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, August 13, 1910.

Hon. John Marshall, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed the following bills:

Senate bill No. 20, A bill to be entitled "An Act making an appropriation for a deficiency in support of the State government for the fiscal year ending August 31, 1910, being to pay for the services of a clerk employed by the Tax Commissioner of the State of Texas, and declaring an emergency."

Senate bill No. 22, A bill to be entitled "An Act to amend Sections 6 and 7 of Chapter 69 of the local and special laws of the Thirtieth Legislature, being entitled 'An Act to amend the special road law of Van Zandt county, Texas,' as enacted by the Twenty-eighth Legislature, and sent to the Governor for approval on the 18th of March, 1903, and to authorize and empower the commissioners court of said county to issue bonds for the permanent improvement of the public roads of said county, and declaring an emergency."

Respectfully,

OLYDE D. SMITH,
Secretary of the Senate.

SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read first time and referred to appropriate committees as follows:

Senate bill No. 20, to the Committee on Appropriations.

Senate bill No. 22, to the Committee on Roads, Bridges and Ferries.

RECESS.

Mr. Dotson moved that the House adjourn until 9 o'clock a. m., Monday, and the motion was lost.

On motion of Mr. Moller, the House, at 6:15 o'clock p. m., took a recess to 8:30 o'clock tonight.

NIGHT SESSION.

The House met at 8:30 o'clock p. m., and was called to order by the Speaker.

SPECIAL ORDER FIXED.

On motion of Mr. Robertson of Bell, by unanimous consent, the regular order of business was suspended, and House bill No. 9, regulating bills of lading, was taken up and made a special order for next Monday, August 15, at 10 o'clock a. m.

THANKING CITY OF HOUSTON.

Mr. Ballengee offered the following resolution:

Whereas, Nearly a hundred members of the State House spent Monday in Houston, as guests of the Business Men's League of Houston, and that, after being shown their beautiful city and partaking of lunch, we were carried down the Buffalo Bayou to see the San Jacinto battle grounds, as beautified by Captain Day; therefore, be it

Resolved, That we extend our thanks to the hosts, Standifer, Highsmith and others, and wish for the city of Houston a bright future and success in obtaining a deep water channel.

BALLENGEE,
BRANCH,
BELL.

The resolution was read second time and was adopted.

HOUSE BILL NO. 37 ON SECOND READING.

On motion of Mr. Hill, by unanimous consent, the regular order of business was suspended to take up and have placed on second reading and passage to engrossment,

House bill No. 37, A bill to be entitled "An Act to amend Article 359, Chapter 4, Title 10, of the Penal Code of the State of Texas, as amended by Chapter 132 of the Acts of the Thirtieth Legislature, defining what constitutes a disorderly house, so as to include any house located in any county,

justice precinct or other subdivision of a county where the sale of intoxicating liquor has been legally prohibited in which such non-intoxicating malt liquors are sold or kept for the purpose of sale as to require the seller thereof to obtain United States revenue license as a retail malt liquor dealer, or any house where the owner, proprietor or lessee thereof has posted United States internal revenue license as a retail liquor dealer or as a retail malt liquor dealer."

The Speaker laid the bill before the House, it was read second time and was passed to engrossment.

HOUSE BILL NO. 38 ON SECOND READING.

On motion of Mr. Hill, the regular order of business was suspended to take up and have placed on second reading and passage to engrossment,

House bill No. 38, A bill to be entitled "An Act denouncing as a nuisance any place, room or building in any county, justice precinct, town, city or subdivision of a county as may be designated by the commissioners court of said county in which the sale of intoxicating liquors have been prohibited under the laws of this State, kept or used for the purpose of selling intoxicating liquor in violation of law, also denouncing as a nuisance any intoxicating liquor kept, possessed or used for such purpose and the tools, appliances and furniture used therewith, prescribing a suitable procedure for the search and seizure of any such liquor, tools, appliances and furniture, for the trial of the issue presented, the judgment to be rendered therein, also to prevent by means of the writ of injunction at the suit of the State or any citizen thereof, the use or the contemplated use, or threatened use of any such place, room or building or the keeping of any such intoxicating liquor and the tools, appliances and furniture used therewith, for any such illegal purpose, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Question—Shall the bill be passed to engrossment?

Mr. Looney offered the following amendments to the bill:

(1)

Amend the bill, page 2, line 3, by adding after the word "them" the following, "as near as may be."

(2)

Amend the bill, page 2, line 8, by adding after the word "same" the following, "as near as may be."

(3)

Amend the bill, page 1, line 36, by adding after the word "building" the following, "as near as may be."

(4)

Amend the bill by striking out Section 16 and insert in lieu thereof the following:

"Sec. 16. The insufficiency of the laws of this State to prevent the violation of local option laws and the fact that this session of the Legislature will end by law in a few days, create an emergency and an imperative public necessity demanding the suspension of the constitutional rule requiring bills to be read on three several days, and that this act take effect and be in force from and after its passage, and the same is so enacted."

The amendments were adopted.

House bill No. 38 was passed to engrossment.

HOUSE BILL NO. 23 ON SECOND READING.

On motion of Mr. Nickels, the regular order of business was suspended to take up and have placed on second reading and passage to engrossment,

House bill No. 23, A bill to be entitled "An Act to prevent the drinking of intoxicating liquors on premises owned, controlled or occupied by clubs, lodges or other associations of persons in counties, subdivisions of counties, cities and towns where the sale of intoxicating liquor has been or where the same may hereafter be legally prohibited under the laws of this State, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Question—Shall the bill be passed to engrossment?

Mr. Looney offered the following amendment to the bill:

Amend the bill, page 1, line 34, by striking out the following: "Within such subdivisions."

The amendment was adopted.

House bill No. 23 was passed to engrossment.

ADJOURNMENT.

On motion of Mr. Robertson of Bell, the House, at 9:10 o'clock p. m., ad-

journd until 9 o'clock a. m. next Monday.

APPENDIX.

COMMUNICATION FROM HON. CONE JOHNSON.

(By Unanimous Consent.)

The Speaker laid before the House and had read the following communication:

Tyler, Texas, August 13, 1910.

Hon. John Marshall, Speaker, Austin:

I regret that my engagements prevent my addressing the House in accordance with their invitation which I highly appreciate.

CONE JOHNSON.

COMMUNICATION FROM HON. W. POINDEXTER.

(By Unanimous Consent.)

The Speaker laid before the House and had read the following communication:

Cleburne, Texas, August 11, 1910.

Hon. John Marshall, Speaker of the House, Austin, Texas.

My Dear Sir: I am in receipt of yours of the 8th inst. informing me that I have been invited by the House of Representatives now in session to address them "at a date convenient to me." In reply beg to say that circumstances over which I have no control render it quite inconvenient if not impossible for me to accept the invitation.

To you and through you to the members of the House I beg to return sincere thanks for the honor implied in the invitation.

Yours truly,

W. POINDEXTER.

COMMUNICATION FROM HON. J. MARTIN JONES.

(By Unanimous Consent.)

The Speaker laid before the House and had read the following communication:

Rusk, Texas, August 12, 1910.

Hon. John Marshall, Speaker of the House of Representatives, Austin, Texas.

Dear Sir: The kind invitation extended me by the members of the House of Representatives of the Thirty-first Legislature, and to me conveyed by you, has been duly received, and I desire to thank you for the same.

The condition of my family at this time renders it impossible for me to avail myself of the opportunity extended me to address your Honorable Body on the 17th day of August, and thus, through your membership, present to the people of Texas the views which I entertain upon the issues now presented for public consideration.

Gratified beyond expression to have the opportunity of presenting the views I entertain with reference to the unfortunate sufferers confined in our penal institutions, penitentiaries, etc., you can imagine the anguish I feel at not being permitted, by reason of circumstances over which I have no control, to take advantage of the invitation extended me.

My views upon this question are based upon three years of intimate observation, and I feel that I could enlighten your membership, more, perhaps, than any of the honorable gentlemen who were candidates for the Democratic nomination for Governor at the late primaries, for the reason, if none other, that they have not had the same opportunity for observation that has been afforded me.

The reformation of the procedure in the trial of cases in our courts is a subject which, in my opinion, challenges and demands immediate attention at your hands.

The liquor question, which now agitates the public mind in this State, should be soberly considered by patriots, and the voice of the people as expressed upon this question should ever be to the true representative as a cloud by day, and a pillar of fire by night, thus ever guiding them in the path of duty.

In conclusion, I will state that I am a Democrat, and will in the future, as in the past, support the nominees of the Democratic party, and I promise here and now that I will from this good day until the November election earnestly endeavor to harmonize paragraphs 5 and 12 of the Democratic platform, adopted at Galveston, but if I fail in the attempt I shall have the consolation of knowing that Texas is the banner Democratic State of the world, and the people—not the politicians—are and will ever be the source of all Democracy.

With sincere appreciation of the honor done me by reason of your invitation, I beg to be,

Very truly yours,
J. MARTIN JONES.

REPORT OF THE COMMITTEE ON MUNICIPAL CORPORATIONS.

Committee Room,
Austin, Texas, August 12, 1910.

Hon. John Marshall, Speaker of the House of Representatives.

Sir: Your Committee on Municipal Corporations, to whom was referred House bill No. 41, beg to advise that we have had same under consideration, and we are instructed to report it back to the House with the recommendation that it do pass.

STANDIFER, Chairman.

REPORT OF THE COMMITTEE ON LABOR.

Committee Room,
Austin, Texas, August 13, 1910.

Hon. John Marshall, Speaker of the House of Representatives.

Sir: Your Committee on Labor, to whom was referred House bill No. 35, have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it do pass, with committee amendment. Mr. Hamilton of Childress was appointed to make a full report.

STEPHENSON, Chairman.

REPORT OF THE COMMITTEE ON PRIVILEGES, SUFFRAGE AND ELECTIONS.

Committee Room,
Austin, Texas, August 12, 1910.

Hon. John Marshall, Speaker of the House of Representatives.

Sir: Your Committee on Privileges, Suffrage and Elections, to whom was referred House bill No. 28, have had the same under consideration, and I am instructed to report it back to the House with the recommendation that it do pass, with amendments. Mr. Stamps was named to make full report.

CABLE, Chairman.

REPORTS OF THE COMMITTEE ON LIQUOR TRAFFIC.

Committee Room,
Austin, Texas, August 13, 1910.

Hon. John Marshall, Speaker of the House of Representatives.

Sir: Your Committee on Liquor Traffic, to whom was referred House bill No. 32, have had the same under consideration, and I am instructed to report it back to the House with the

recommendation that it do pass. Mr. Currey was appointed to make a full report.

CANALES, Chairman.

Committee Room,
Austin, Texas, August 13, 1910.

Hon. John Marshall, Speaker of the House of Representatives.

Sir: Your Committee on Liquor Traffic, to whom was referred House bill No. 43, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass.

CANALES, Chairman.

Committee Room,
Austin, Texas, August 13, 1910.

Hon. John Marshall, Speaker of the House of Representatives.

Sir: Your Committee on Liquor Traffic, to whom was referred House bill No. 42, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass. Mr. German was appointed by the Chair to make a full report.

CANALES, Chairman.

REPORT OF THE COMMITTEE ON COMMON CARRIERS.

Committee Room,
Austin, Texas, August 13, 1910.

Hon. John Marshall, Speaker of the House of Representatives.

Sir: Your Committee on Common Carriers, to whom was referred House bill No. 9, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass with committee substitute. Mr. Standifer gave notice of a minority report. Mr. Moller was appointed to make a full report.

ROBERTSON of Bell, Chairman.

REPORTS OF THE COMMITTEE ON ROADS, BRIDGES AND FERRIES.

Committee Room,
Austin, Texas, August 13, 1910.

Hon. John Marshall, Speaker of the House of Representatives.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred Senate bill No. 11, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass.

Mr. Self was appointed to make full report, and that same be not printed.

ELLIOTT, Chairman.

Committee Room,
Austin, Texas, August 13, 1910.

Hon. John Marshall, Speaker of the House of Representatives.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred Senate bill No. 21, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass.

ELLIOTT, Chairman.

Committee Room,
Austin, Texas, August 13, 1910.

Hon. John Marshall, Speaker of the House of Representatives.

Sir: Your Committee on Roads, Bridges and Ferries, to whom was referred House bill No. 44, have had the same under consideration and I am instructed to report it back to the House with the recommendation that it do pass.

ELLIOTT, Chairman.

REPORTS OF THE COMMITTEE ON ENGROSSED BILLS.

Committee Room,
Austin, Texas, August 13, 1910.

Hon. John Marshall, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

House bill No. 19, A bill to be entitled "An Act to amend Article 41lppp and 41lqqq, Title 11, Chapter 6e, Penal Code of the State of Texas, passed by the Regular Session of the Twenty-ninth Legislature of Texas, and approved April 18, 1905, prescribing certain restrictions to be placed upon the shipment and transaction of intoxicating liquors into any county, justice precinct, school district, city or town, or subdivision of a county within this State, where the sale of intoxicating liquors has been prohibited under the laws of this State; prescribing that a book shall be kept in which shall be entered the transactions pertaining to the receipt, shipment and transportation, and delivery of such intoxicating liquors; and fixing penalties for the violations of this act, and declaring an emergency,"

And find the same correctly engrossed.

ODOM, Chairman.

Committee Room,
Austin, Texas, August 12, 1910.

Hon. John Marshall, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills have carefully examined and com-
pared

House bill No. 40, A bill to be entitled
"An Act to incorporate the city of San
Antonio, Bexar county, Texas, and to
grant it a new charter to provide for
a commission form of government, to
define its powers and to prescribe its
duties," etc.,

And find the same correctly engrossed.
ODOM, Chairman.

Committee Room,
Austin, Texas, August 13, 1910.

Hon. John Marshall, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills have carefully examined and com-
pared

House bill No. 41, A bill to be entitled
"An Act to amend Section 4, Article 5,
of Chapter 33, Special Laws of the
Thirtieth Legislature, entitled 'An Act
granting to Denison, Grayson county,
Texas, a new charter of incorporation,
repealing all laws and parts of laws in
conflict herewith, and declaring an emer-
gency,' regulating the appointment and
removal of officers and employes of said
city, and declaring an emergency,"

And find the same correctly engrossed.
ODOM, Chairman.

Committee Room,
Austin, Texas, August 13, 1910.

Hon. John Marshall, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills have carefully examined and com-
pared

House bill No. 7, A bill to be entitled
"An Act providing conditions upon which
insurance companies writing contracts or
policies of insurance against the hazard
of fire may transact business in the State
of Texas, and providing for the making,
promulgation, regulation and control of
schedules, rates and premiums, and forms
of policies; and to prevent discrimina-
tion therein, and to create a State In-
surance Board, and prescribing the du-
ties and authority of said board, and
each member thereof; to appropriate
money therefor, and to provide penal-
ties for violations of this act, and re-
pealing Chapter 18, of the General Laws
of the State of Texas, passed by the First

Called Session of the Thirty-first Legis-
lature, and all other laws and parts of
laws in conflict therewith, and declaring
an emergency,"

And find the same correctly engrossed.
ODOM, Chairman.

Committee Room,
Austin, Texas, August 13, 1910.

Hon. John Marshall, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills have carefully examined and com-
pared

House bill No. 15, A bill to be entitled
"An Act to amend Section 14 of Chapter
17, of the Acts of the First Called Ses-
sion of the Thirty-first Legislature, the
same being 'An Act to amend Chapter
138 of the Acts of the Thirtieth Legis-
lature, approved April 18, 1907, the same
being "An Act to regulate the sale and
disposition of spirituous, vinous and malt
liquors and medicated bitters capable of
producing intoxication, and the places
wherein same are sold; imposing an oc-
cupation tax upon persons, firms, corpo-
rations and associations of persons, sell-
ing spirituous, vinous or malt liquors or
medicated bitters capable of producing
intoxication; requiring retail liquor deal-
ers and other persons to secure license to
sell such liquors, and defining retail liquor
dealers and regulating the business
thereof; requiring retail malt dealers
and other persons to secure license to sell
malt liquors exclusively, capable of pro-
ducing intoxication; and defining retail
malt dealers and regulating the business
thereof; exempting wine growers who sell
wine of their own production from the
provisions of this act providing same is
not sold to be drunk on the premises
where sold, and otherwise regulating of
such wine growers; regulating the trans-
fer of license of retail liquor dealers and
retail malt dealers; prescribing the con-
dition of the bonds of such retail dealers
and the conditions upon which licenses
to such dealers and other persons may be
issued; providing for the refund of any
unearned portion of any license; requir-
ing the county clerk to report all li-
censes granted to the Comptroller of
Public Accounts; providing for the re-
vocation under certain conditions of li-
censes issued; defining intoxicating li-
quors, and providing penalties for the vi-
olation of the provisions of this act, and
declaring an emergency," and adding
Sections 9a, 9b, 9c, 9d, 9e, 9f, 9g, 9h, 9i,
9j, 10a and 35a, prescribing the method
and procedure by which liquor licenses

may be obtained, transferred and forfeited, and prescribing the manner for the ascertainment of the facts upon which forfeiture is based and prescribing the duties of the county judge, Comptroller of Public Accounts and the county attorney and other proper officers in regard thereto and repealing all laws or parts of laws in conflict herewith; requiring licenses to be issued under this act and prescribing the continuation in force of licenses issued under prior laws for sixty days after this act takes effect in order to give time for securing licenses under this act, and providing that credit be allowed upon licenses to be obtained under this act in an amount equal to the unearned portion or part of any existing license, and declaring an emergency," by amending Section 14 so as to require every person or firm who are engaged in the sale of intoxicating liquors or who may hereafter become engaged in the sale of intoxicating liquors in any locality in this State other than where local option is in force to keep such places of business closed from and after 7 o'clock p. m. until 7 o'clock a. m. of the next day, and to keep such places closed from 7 o'clock p. m. on Saturday until 7 o'clock a. m. on the following Monday of each week, and forbidding sale of any intoxicating liquors or the transaction of any business in such places within said hours, and prescribing penalties therefor, and declaring an emergency,"

And find the same correctly engrossed.

ODOM, Chairman.

REPORT OF THE COMMITTEE ON ENROLLED BILLS.

Committee Room,
Austin, Texas, August 13, 1910.

Hon. John Marshall, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills have carefully examined and compared

House bill No. 30, "An Act to reorganize the Seventieth Judicial District of Texas, and to fix the time of holding court in each of the counties of said Seventieth Judicial District, and to declare an emergency,"

And find the same correctly enrolled, and did this day at 9:11 a. m. present the same to the Governor for his signature.

SCHOFIELD, Chairman.

SEVENTEENTH DAY.

Hall of the House of Representatives,
Austin, Texas,

Monday, August 15, 1910.

The House met at 9 o'clock a. m., pursuant to adjournment.

Speaker Marshall in the chair.

The roll was called, and the following members were present:

Adams.	Johnston.
Anderson.	Kennedy.
Aston.	Lawson.
Baker of Hood.	Leach.
Baker of Panola.	Lee.
Ballengee.	Looney.
Barrett.	Maddox.
Bartlett.	Mason.
Bell.	Maxwell.
Bierschwale.	McCallum.
Bogard.	McDaniel.
Bostic.	McDonald.
Boswell.	McGown.
Bowles.	McKinney.
Branch.	Moller.
Briscoe.	Morris.
Brooks.	Munson.
Brownlee.	Nelson of Hopkins.
Buchanan.	Nelson of
Byrne.	Kaufman.
Cable.	Nickels.
Canales.	O'Bryan.
Cathey.	O'Bryant.
Caves.	Odom.
Cox.	Pearson.
Craven.	Perkins.
Crisp.	Pharr.
Crockett of	Porter.
Mitchell.	Rabb.
Cureton.	Ray.
Currey.	Rayburn.
Dalby.	Reedy.
Davis.	Reid.
Dotson.	Roach.
Driggers.	Roberson of Erath.
Elliott.	Robertson of Bell.
Fitzhugh.	Robertson of
Fuller.	Travis.
German.	Ross.
Gilmore.	Schluter.
Goodman.	Schofield.
Graham.	Self.
Hamilton of	Smith.
Childress.	Stamps.
Hamilton of	Standifer.
McCulloch.	Stead.
Harman.	Stephenson.
Haxthausen.	Stepter.
Highsmith.	Stratton.
Hill.	Tarver.
Humphrey.	Terrell of Bexar.
Hunt.	Terrell of
Jackson.	Cherokee.
Jennings.	Tillotson.
Johnson.	Turner.